



Washington State Gambling Commission

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Internet Gambling

Internet gambling has always been illegal in Washington State and in the United States of America.

A bill was passed during the 2006 Legislative Session clarifying that Internet gambling is illegal in Washington State. This includes gambling on the Internet, operating an Internet gambling site, or facilitating Internet gambling in any way. The penalty was changed from a gross misdemeanor to a Class C felony. The bill was signed by the Governor and became effective June 7, 2006.

What is gambling?

Gambling involves three elements: Prize, Consideration and Chance. If one of these elements is removed, it is no longer a gambling activity. For example, if you pay a fee to play a game of chance (such as poker, blackjack, bingo, roulette, craps, slots, etc.) for a prize, it is a gambling activity. However, if you play these games for free (no entry fee or wager) it is not a gambling activity.

Is Internet gambling legal in Washington State?

No. It is illegal under RCW 9.46.240 to knowingly send or receive gambling information by Internet, telephone, radio, or any other similar means. It is also illegal to install or maintain equipment for transmitting or receiving gambling information.

It is also illegal under federal law, including the Federal Wire Wager Act (18 U.S.C. § 1084 (1994)), to operate a betting or wagering business using telephone lines or other "wire communication facility." Federal prosecutors have successfully prosecuted United States citizens with businesses based offshore under this law.

Is Internet gambling legal anywhere?

Yes. Internet gambling is legal in some countries, such as the Dominion Republic, Australia, New Zealand, Sweden, Germany, South Africa, and Antigua. However, it is illegal for operators in such countries to accept wagers from people in the United States.

If Internet gambling is illegal, why do I see it all over the Internet?

It is not illegal to operate an online gambling website in countries which permit it and when the people placing those bets are in those countries. However, it is illegal to solicit bettors from the United States, under the federal Wire Wager Act. It is not illegal to solicit players if there is no fee to play.

How is Internet gambling different than gambling at a local casino?

There are many risks when gambling on-line. Internet gamblers have no idea who is operating a game, if the game is honest, if winnings will be paid, or if the money wagered will be used for criminal purposes. Players have no recourse if they are not paid or cheated.

Internet gambling also creates an uncontrolled environment for those with gambling addictions and for minors.

Businesses and individuals that have a Washington State gambling license undergo background checks to reduce the likelihood of criminal involvement. Licensees must follow rules designed to keep games fair and honest. The Gambling Commission conducts audits to ensure games are paid out correctly and investigates all complaints. Undercover agents monitor for compliance.

For help with Problem Gambling, call 800.547.6133

Mission Statement: Protect the public by ensuring that gambling is legal and honest.

Has anyone been in trouble for Internet gambling?

The United States Department of Justice recently announced the indictment of two individuals and the corporations through which they operated their illegal, off-shore gambling websites. Those individuals and corporations are also charged with money laundering over \$250 million worth of illegal Internet gambling wagers. The indicted individuals are currently being sought as federal fugitives.

What enforcement action will be taken against Internet gamblers?

Washington State is part of a multi-state and federal task force that is looking into education, awareness, and coordinating enforcement activities, in order to deter Internet gambling.

It is anticipated enforcement will focus on larger, higher level Internet gambling activities, such as gambling sites and service providers. However, bettors are breaking the law and are at risk.

What will happen if I am caught wagering online in Washington State?

Washington's gambling statutes now provide a range of gross misdemeanor and felony penalties for Internet gambling violations, depending on the factual circumstances. The actual punishment for any felony conviction is controlled by the State's sentencing guidelines. The standard range sentence that a court is authorized to impose on a "first offender," absent aggravating circumstances is 0 – 90 days in jail for a violation of the recently amended statute.

You could also be charged with Professional Gambling in the First, Second or Third Degree, depending upon the amount of money and the number of people involved.

If I have problems with an online casino or sportsbook who can I report them to?

The Internet Fraud Complaint Center, a partnership between the FBI and the National White Collar Crime Center, operates a website and accepts complaints regarding Internet fraud. Their website is www.ic3.gov.

You can also contact the regulatory and/or law enforcement agency responsible for overseeing Internet gambling in the country where the website operates its site from.

I just won a lot of money wagering online, but the company won't pay me my winnings – what recourse do I have?

Once you choose to engage in illegal activities, there is very little, if any, recourse available. Although you may file a complaint with the Internet Fraud Complaint Center, or contact the regulatory and/or law enforcement agency overseeing the online gambling in the country where the website operates from, it is unlikely that you will be able to obtain your winnings.

Can lottery and raffle tickets be sold or purchased online in Washington State?

No. Lottery tickets may only be purchased from licensees of the Lottery Commission. Citizens of other states should check with their local lottery regulatory agency. Additionally, Internet raffle and lottery activities are prohibited by the Federal Wire Wager Act.

Can I advertise gambling activities online?

You may advertise gambling activities online, as long as the advertisements are for authorized gambling activities (for example, card rooms, tribal casinos, and bingo operators). However, other agencies, such as the Federal Communications Commission, may have restrictions.

You cannot advertise or solicit Washington State citizens to gamble online when a fee is involved to play the games.

How can I get more information?

The Washington State Attorney General's Office operates a Consumer and Criminal Justice Cyber Clearinghouse website (www.atg.wa.gov/safetynet) where you can find tips on what to do if you are a victim of Internet fraud.

The United States Dept. of Justice's Computer Crime and Intellectual Property Section also has a website www.usdoj.gov/criminal/cybercrime/crimes.html.

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